

# THE BARBER COUNTY INDEX

VOL. XXX.

MEDICINE LODGE, KANSAS, MAY 25, 1910.

NO. 2

## SEVENTEENTH ANNUAL COMMENCEMENT

Nine Young Ladies and Gentlemen Complete Course and are Eligible to Enter State University.

### CLASS OF 1910

Frances Margaret Axline  
Florence Lucille MacGregor  
Raymond A. Schmidt  
Cynthia Ellen McGuire  
Ruth Elizabeth Copley  
Bertram Alvin Burton  
Opal Murett  
Allie Roberta Murphy  
Paul R. Fair

### POST GRADUATES

Mary Slane  
Blanche Johnson  
Grace Richardson  
Hazel Tucker

The Graduating Exercises of the class of 1910 of the Barber County High School were held in the Opera House in this city on Monday evening, May 23rd.

The hall was nicely draped in the class colors—Purple and White—and the stage was beautifully supplied with flowers and fragrance, the class flower—White Carnation—being attractive and conspicuous.

The Wichita orchestra which was advertised to furnish instrumental music, failed to come and did not even notify the class or the faculty in advance nor offer any explanation, and when the curtain rose it was necessary for Prof. Major to explain the orchestra's absence, which he did in language not at all complimentary.

Following Prof. Major's remarks, Rev. F. W. Imboden advanced to the front of the stage and delivered the invocation, following which Mrs. Griffin and Mrs. Major favored the audience with an excellent piano duet.

The class was represented on the program by five—Misses Allie Murphy, Opal Murett and Cynthia McGuire, and Raymond Schmidt and Paul Fair.

The first oration of the evening was delivered by Miss Opal Murett, Salutatorian.

After a few well chosen remarks bidding the people of Medicine Lodge and Barber county welcome and briefly reviewing the history of the High School, she delivered her oration, "The Influence of an Idea." She proved by historical example, political and inventive, how a mere idea, properly pursued and agitated, brings great results; and with-out well grounded ideas formulated by deep thinkers, the world would be in darkness and unprogressive. Miss Murett had her subject well in hand and delivered her oration exceedingly well.

Raymond Schmidt was next on the program with a "Class History and Prophecy." The historical discourse was true to life in each instance and uniquely worded, replete with humor and wit, while the prophetic portion displayed an imaginative genius on the part of the speaker that excited the keenest admiration of the large audience which was in a constant uproar of laughter.

Mr. Schmidt was followed by a Quartette by Mesdames Yewell, Skinner, Major and Forsyth, which was excellent and brought forth great applause.

"How Public Opinion Rules" was the subject of the next oration.

Try Cementide to beautify as well as make your walls damp proof. Dwight Mills

Base balls, Tennis balls and sporting goods at Ewing's.



It was discussed by Miss Cynthia McGuire whose first utterance showed that she had given her subject very deep thought. She proved that whatever there is of good in the world—social, political and religious—is because of a definite, commanding public opinion; that when public sentiment rises to a high standard it follows that the executive and administrative powers respond. In thought, delivery, argument and stage presence Miss Cynthia was almost perfect and her oration was pronounced one of the best ever delivered by a high school graduate. The compliment was deserved.

The male Quartette then sang "Water Lilies." The Quartette is composed of Messrs. Frank Knight, Wright Terry, Percy Knight and Harry Terry and they fully sustained the reputation they have long enjoyed as vocalists.

Paul Fair's duty was to deliver the farewell address to the Juniors. He did it like a professional, and although he was lost for words in two instances, his stage presence was so remarkable and his tact so responsive that it caused no embarrassment and his parenthetic remarks were laughable. Sarcasm, wit and humor dominated his address, although it contained substantial advice to the class of 1911. The address would have been a credit to an older head and Paul covered himself with glory.

The Male Quartet again appeared and sang "There was an Old Woman," much to the delight and enjoyment of the audience.

Miss Allie Murphy, Salutatorian, spoke on "The Value of a High School Education," and closed with a beautiful valedictory. She impressed her audience deeply with the import-ance of a high school education, proving from men high in authority in governmental affairs that in this day a high school education is indispensable, and step by step established the truth of every assertion made.

She closed with a beautiful tribute to the people of Barber county, the school board and the faculty for the superior high school that has been established and expressing fondest hopes for the future. Miss Allie delivered a strong address and acquitted herself well in all respects.

A double quartette sang "Hark! Apollo Strikes the Lyre." The singers were Mesdames Major, Skinner, Forsyth and Shaw, and Messrs. Rackley, Davis, Kidd and Crane. The number was highly appreciated.

Prof. Major then introduced Judge P. B. Gillett who made a short class address and presented the diplomas. The class presented Judge Gillett a bouquet of carnations and he responded with thanks. Judge Gillett's address was masterful. He recounted the superiority of our educational institutions and closed with congratulations and well timed advice to the class of 1910.

Thus is another chapter added to the history of our High School. This year has furnished the largest class in the school's history. The class members are young ladies and gentlemen of the highest worth and are well equipped to engage in the practical affairs of life, or, if they so choose, are in a position to go higher in educational work.

Our people are justly proud of the high standard our public

schools have attained and in complimenting the class of 1910, a liberal share of compliments are reserved for the faculty and all the teachers of the schools, who have labored so earnestly and faithfully to bring the educational standard up to its present high plane.

The class reception was given in the school building yesterday evening but we print too early to report it.

The Alumni Banquet will be given this evening. An interesting program has been prepared and the menu will include all that the markets, local and foreign, afford.

Waynoka and Medicine Lodge will play ball in this city this afternoon and tomorrow afternoon. The "Waynoka Giants" are great and our boys propose to "make good."

Prepare to see two splendid games!

Tom Wagstaff in Barber

Tom Wagstaff, the "regular" republican candidate for governor, made two speeches in Barber county last Friday—one in Medicine Lodge in the afternoon, and one in Kiowa in the evening. During his visit in this city he was the special guest of Ex-Senator Long who introduced him at the meeting.

In his introduction, Senator Long stated that there is a serious division within the republican ranks at this time but that it is entirely "friendly." The Wagstaff wing represents the real republicans while the Stubbs wing represents democracy, said Mr. Long, and there is no room for two democratic parties. He then paid some very high compliments to Mr. Wagstaff and presented him to the audience.

Like Halley's comet, the speaker did not come up to the advance notices. He is a very ordinary speaker but it must be conceded that he was armed with a budget of facts. On the matter of increased officers and salaries he "put one over" the Stubbs administration by quoting from the records. The number of salaried officers in the state institutions have been increased from 50 to 90 per cent and in one instance, at least, the state penitentiary, there are less inmates than there were during former administrations.

While "Wag" had the argument in this respect, his dissertation on national politics was painful. He had too much to say about President Taft. In substance it was, "President Taft and I eat out of the same trough," while Stubbs is "agin the president." That kind of talk accomplishes little. President Taft is not very popular in Kansas anyway and no man can ride into office on his shoulders.

The republican situation in this state is amusing. The state administration, elected by republican voters, is branded as un-republican, extravagant, incompetent and reckless by the faction which is without question in favor with the national administration, while the state administration crowd are just as confident that the faction styling itself "regular" is traitorous to the state organization and is controlled entirely by trusts and corporations.

It would seem that if both elements are sincere, that neither can "line up" after the primary. In fact they can not do it if they are honest. Will they be true to their convictions or will they be "like dumb, driven cattle?" Time will tell.



Transplanted pansy and tomato plants for sale. Mrs. J. L. Brady.

Hon. Bill Horn, first citizen of Lake, was a county seat visitor Monday and yesterday. Same old jovial Bill.

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John A. White Sentenced to Penitentiary. The Daughter Weakened

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So ends an awful story of barbarism. Whether this man shall serve the maximum penalty for his crime, which is far too lenient, or whether he shall be released after serving a year, remains with the prison board, but the people of Barber county with one voice demand that he shall never again pollute the atmosphere where his depravity has left a stain of deep dye.

It is said that the prisoner still adheres to his resolution to return, after serving his sentence, to end the existence of the editor of The Index. If that shall be our fate, it will only be like withdrawing an atom from the ocean and there will be multitudes of frail beings left to condemn such revolting brutality.

Memorial Exercises

The members of the G. A. R. of this city have completed arrangements for memorial exercises on May 29th and 30th.

On Sunday, the 29th, there will be union memorial services of all the churches at the opera house. The memorial sermon will be preached by Elder Bishop M. Hopkins, pastor of the Christian church, and the other ministers of the city will also have a part in the services.

The members of the Post will meet at 10 o'clock A. M. and attend in a body.

On decoration day, the 30th, the march to the cemetery will be formed at 10 a. m., all fraternal societies, Sunday schools and the general public are invited to join in the march, and bring an abundance of flowers.

No grave should be neglected. The afternoon program will be given at the opera house, beginning at 1:30 p. m., as follows:

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Song by Male Quartette.  
[Messrs. Rackley, Crane, Fullerton, Kidd.]  
Introduction—J. N. Tinscher.  
Address by Hon. R. P. McCulloch of Anthony.  
"America"  
Benediction  
The Grand Army looks forth to an impressive Memorial and hopes for a large attendance.

Memorial Day at Lasswell

The people of Lasswell and vicinity will observe Decoration Day at Lodi cemetery May 30th. Previous to that time, it is urged that everybody in that vicinity get busy and fix up the graves and grounds generally and make all the necessary arrangements to fittingly commemorate our beloved dead.

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## District Court

The May term of the district court drew to a close yesterday.

When the Index went to press last week the land commission case of W. H. Dury vs M. S. Stewart was on trial but before all the evidence was submitted the case was taken away from the jury and submitted to Judge Gillett. It developed that the controversy involved purely a legal proposition and both sides agreed to submit it to the court. [Briefs will be submitted and Judge Gillett will render a decision on the adjourned day.]

The case of H. C. and Raphael Alexander vs. Wm. Fuller was tried on Wednesday. Last June the plaintiffs purchased a horse from the defendant, but several days afterward took the horse back and demanded their money, claiming the horse was balky and that Mr. Fuller had guaranteed it to work. Mr. Fuller refused to take the horse, claiming that the horse was not balky and also asserting that he did not guarantee it. There was plenty of evidence to show that the horse was not balky and also it was balky, but the jury, after being out about four hours, found for Mr. Fuller, which throws the costs on the plaintiffs. The price paid for the horse was \$75, but the plaintiffs also sued for forty cents a day for keeping it. The following composed the jury:

O J Hitt Sam Good  
Ed H Smith T L Lindley  
E S Crumpacker C T Phipps  
J F Linville J W McKenzie  
R H Haberlein Carl Gilbert  
Frank Albright D W Crick

Samuel Griffin and S. S. Alexander represented the plaintiff and Noble & Tinscher the defendant.

The case was tried once before, in justice court, last summer, in which trial the defendant was also given a verdict.

A damage suit for \$1500, brought by C. B. Toles of Missouri vs. The York-Key Mercantile Company of Kiowa occupied the time of the court on Thursday. The plaintiff is a railroad man. The York-Key firm held an account against him while he was working in Kansas. When he went to Missouri the account was assigned to parties there who garnished his wages and he now seeks to recover from York-Key Company on account of such assignment, denying his liability.

The plaintiff was represented by Otto Briley, an attorney from Chanute. Noble & Tinscher represented the defendant. The jury was as follows:

O J Hitt Sam Good  
D W Crick W F Elliott  
C T Phipps T F Evans  
G E Goff J W McKenzie  
E S Crumpacker Carl Gilbert  
W B Downtain T L Lindley

After the mail and train arrived in the afternoon and some witnesses and depositions expected by the plaintiff, failed to arrive, the case was dismissed without prejudice. The plaintiff says that a new suit will be filed.

On Wednesday Ed. Rose entered a plea of guilty to assault committed on Bert Lunsford in Elm Mills township, and was fined \$25 and costs, amounting to a total of \$37.65. Last winter at a meeting of a literary society on Elm creek Rose attacked Lunsford without warning, and beat him severely. The trouble grew out of a fence difficulty. He showed good judgment by settling the matter in the way he did.

The famous damage case, C. J. Sken vs. M. J. Lane, was taken up Thursday afternoon and extended through all of Friday, the jury returning a verdict for \$550.00 in favor of Capt. Sken, Saturday forenoon. On the first ballot four voted to find for the defendant while the others stood for the plaintiff, fixing compensatory damages

at different amounts. Finally a compromise verdict was reached. The jury before which the case was tried was composed of the following persons:

Ed H Smith J F Linville  
Frank Albright J A McCune  
T F Evans W F Elliott  
C L Simpson Carl Gilbert  
C T Phipps E S Crumpacker  
J W McKenzie D W Crick

Noble & Tinscher and G. M. Martin were the plaintiff's lawyers, and Samuel Griffin and Judge C. W. Ellis represented the defendant.

Last June Mr. Lane assaulted Capt. Sken, and afterward pleaded guilty to simple assault and paid a nominal fine. Later Capt. Sken sued for \$10,000 damages. He claims that his nervous system has been wrecked and that he was bruised on the head, leaving permanent injuries to his eyes, that he has been under the care of a physician until recently and was in a hospital about a month. All of this, together with a large chunk of "mental anguish," aggregates \$10,000.

Mr. Lane says that Capt. Sken had been annoying him for a long time and on this particular occasion meddled with his affairs which caused him to strike him under the heat of passion. Capt. Sken, however, denies this allegation.

The plaintiff is the defendant's father-in-law and they have been engaged in litigation for almost a year over property matters.

The testimony revealed that there has been bad feeling between the parties for some time, and in the controversy Mr. Lane had the support and sympathy of Mrs. Lane who is Capt. Sken's daughter. Mrs. Lane testified that she had at different times taken charge of and assisted her father when he was down and out and without a home, and at or near the time of the assault he was living in property provided for him by her and her husband, under a contract, and refused to either comply with the terms of the contract or vacate. This, according to both Mr. and Mrs. Lane, was really the starting point of the trouble. Capt. Sken and Mr. Lane do not agree on the facts pertaining to the assault. The Captain claims that Mr. Lane struck him very hard twice and that he did nothing at all to provoke the assault, while Mr. Lane claims that he annoyed him for several days before, more by actions than by words, until he (Lane) could not control his temper any longer. Mr. Lane denies that he struck Capt. Sken more than once.

We have not learned whether or not the case will be appealed. If it is settled according to the verdict, Capt. Sken will have only a small balance after paying expenses. Mr. Lane, on the other hand, will be out close to \$800, after paying costs and attorneys' fees, but even at that it is less than it would cost to keep on litigating.

The last jury case of the term, The Woods County Bank of Alva vs E. Shore, was tried on Saturday, Samuel Griffin representing the plaintiff and Noble & Tinscher the defendant. The bank sued to recover two horses purchased by Shore from one Fred Rinker, claiming a mortgage. Shore claimed that the horses described in the mortgage were not the animals which he purchased, and attacked the mortgage generally. The jury sustained his contention and returned a verdict in his favor. Cashier Kletke of the Alva bank was here as a witness. By agreement only nine jurors were empaneled, as follows:

O J Hitt Sam Good  
S J Cole C T McCracken  
Wm. Langhart Jas Clark  
G E Goff W B Downtain  
R H Haberlein

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## WHITE GUILTY!

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